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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/747,637      | 12/29/2003  | Wei-Chen Chen        | SII-08-08-03        | 5731             |

7590 06/17/2004  
Kenneth C. Brooks  
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P.O. BOX 10417  
Austin, TX 78766

EXAMINER

LEVI, DAMEON E

ART UNIT PAPER NUMBER

2841

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Applicati n No.

10/747,637

Applicant(s)

CHEN, WEI-CHEN

Examiner

Dameon E Levi

Art Unit

2841

-- Th MAILING DATE of this communication app ars on th cover sh et with the correspondenc address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "27" has been used to designate both "upper part" and "first curved portion". Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Horng  
US Patent 6493241.**

**Regarding claim 1,** Horng discloses a resilient element comprising:

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interconnected lower and upper parts, said lower part including a planar bottom segment having front and rear ends, a first curved segment that curves upwardly and rearwardly from said front end of said planar bottom segment, and a second curved segment that curves upwardly and forwardly from said rear end of said planar bottom segment, (for example, see elements 18, R4, R3, Figs 4-8)

said upper part including a planar top portion that has front and rear ends and that is disposed above and substantially parallel to said planar bottom segment, a first curved portion that curves downwardly and rearwardly from said front end of said planar top portion and that is disposed above said first curved segment, and a second curved portion that curves downwardly and forwardly from said rear end of said planar top portion and that is disposed above said second curved segment, said first curved segment and said second curved portion having interconnected distal ends (for example, see elements 11, R1, R2, Figs 4-8).

**Regarding claim 2,** Horng discloses a resilient conductive element comprising a unitary conductive strip that is bent to form interconnected lower and upper parts, said lower part including a planar bottom segment having front and rear ends, a first curved segment that curves upwardly and rearwardly from said front end of said planar bottom segment, and a second curved segment that curves upwardly and forwardly from said rear end of said planar bottom segment, (for example, see elements 18, R4, R3, Figs 4-8)

said upper part including a planar top portion that has front and rear ends and that is disposed above and substantially parallel to said planar bottom segment, a first curved

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portion that curves downwardly and rearwardly from said front end of said planar top portion and that is disposed above said first curved segment, and a second curved portion that curves downwardly and forwardly from said rear end of said planar top portion and that is disposed above said second curved segment, said first curved segment and said second curved portion having interconnected distal ends (for example, see elements 11, R1, R2, Figs 4-8).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dameon E Levi whose telephone number is (571) 272-2105. The examiner can normally be reached on Mon.-Fri. (9:00 - 5:00).

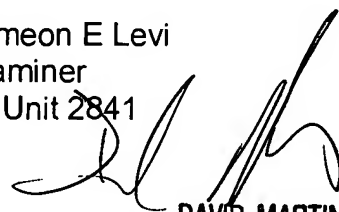
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DEL

Dameon E Levi  
Examiner  
Art Unit 2841



DAVID S MARTIN  
SUPERVISOR  
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